U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

Mr. Kevin Zeese
Attorney at Law
Post Office Box 9576
Washington, DC 20016

Dear Mr. Zeese:

I am writing in response to your July 11, 2011, letter to the FBI. You expressed concerns regarding the recent allegations brought against News Corporation.

The Federal Bureau of Investigation (FBI) is aware of the serious allegations of criminal activity on the part of a News Corporation subsidiary. Please be assured the FBI takes these allegations very seriously. In conjunction with prosecutors at the Department of Justice, the FBI has undertaken a preliminary review to assess the veracity of the allegations.

I appreciate your bringing this matter to our attention, and I hope this information will be helpful to you.

Sincerely yours,

Vida G. Bottom
Chief
Public Corruption/Civil Rights Section

Dep. Director
EAD-Adm.
EAD-CT/CI
EAD-Crim.
EAD-Intell.
EAD-LES
Asst. Dir.:
Adm. Serv.
CJIS
Ctrintell.
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Off. of Prof. Resp.
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Security
Training

1 - ADIC, New York - Enc.
1 - FBI ExecSec, Room 6147 - Enc. (Trim 11/DO/2750)
1 - [redacted] Room 3266 - Enc.
1 - [redacted] Room 3842 - Enc.
[redacted] JNB

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copy for

[redacted]

~~SAC Rodriguez~~
~~SAC Gallagher~~
~~FBI 9/8/11~~
~~URE~~

POB 9576
Washington, DC 20016
July 11, 2011

Robert Mueller
Director, Federal Bureau of Investigation
935 Pennsylvania Avenue
NW Washington, D.C. 20535-0001

Assistant Director in Charge
FBI, New York Field Office
Janice K. Fedarcyk
26 Federal Plaza, 23rd Floor
New York, NY 10278-0004

George S. Canellos
Regional Director, Securities and Exchange Commission
3 World Financial Center, Suite 400
New York, NY 10281-1022

Re: Foreign Corrupt Practices Act Violations By News Corp

Dear Director Mueller, ADIC Fedarcyk, and Regional Director Canellos:

I am writing to request the FBI and SEC to immediately launch broad criminal and parallel civil investigations of News Corporation ("News Corp"), whose headquarters are located at 1211 Avenue of Americas, New York, New York 10036, for violating the Foreign Corrupt Practices Act. News Corp is an American company, [redacted] In light of recent revelations and admissions by News Corp that its employees have engaged in widespread obstruction of justice, bribery and destruction of evidence in relation to the "Hacking Gate" scandal, we urge you to act immediately to seize and secure all evidence in the possession of News Corp.[1]

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The number of crimes committed by News Corp and its employees in the "HackingGate" scandal in the United Kingdom is staggering. In short, over a period of almost a decade, News Corp employees from the highest executive level willfully and knowingly

[1] Nick Davies and Amelia Hill, "Phone hacking: Police probe suspected deletion of emails by NI executive," The Guardian, July 8, 2011, http://www.guardian.co.uk/media/2011/jul/08/phone-hacking-emails-news-international

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approved, knew of, conspired to and committed more than 4,000 illegal phone hackings of all levels of UK society, and did so by bribing public officials including police to provide them with information, including phone numbers, bank accounts and itineraries of people of interest.[2] This illegal conduct included hacking the phones of politicians, the royal family, celebrities, families of soldiers killed on the battlefield, and even a kidnap victim who had been murdered. Just today, a private investigator in New York disclosed that he had been contacted by News Corp to provide the phone records of the 9/11 victims in order to illegally access their voice mails.[3] Law enforcement officials in the UK seized documents from a private investigator hired by News Corp. "These documents show the hacking was not just one or two attempts at accessing voicemails. More than 4,000 people had their phone hacked. This was hacking on an industrial scale."[4]

As noted, News Corp employees have also apparently engaged in intentional obstruction of justice by lying to investigators and deleting "millions" of emails. This has outraged investigators at Scotland Yard.[5]

The investigation of this scandal in the UK has been ongoing for six years with minor players being sacrificed with arrest and conviction as part of a broad cover-up. However, over the past week, with more disclosures, the scandal has engulfed the top staff of News Corp and is threatening to topple UK leader David Cameron. Britain's most widely read tabloid, *News Of The World*, which served as the hub for the criminal enterprise, was shuttered on Sunday because of the scandal. Three of its top executives were arrested on Friday, including [redacted] At least nine journalists and three police officers have been named for arrest. The London Metropolitan Police Department is under investigation for taking bribes of more than £100,000 paid by News Corp officials via a private investigator in exchange for information. Members of Parliament have accused [redacted] and News International [redacted] of being "part of the criminal underworld." [redacted] told the staff that in the coming days and months, even more serious criminal activity would be disclosed that would make it apparent just why *News*

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[2] Polly Toynbee "The game has changed. The emperor has lost his clothes," The Guardian, July 8, 2011, http://www.guardian.co.uk/commentisfree/2011/jul/08/ed-miliband-broken-omerta-old-monster

[3] David Collins, Phone hacking: 9/11 victims 'may have had mobiles tapped by News of the World reporters', Daily Mirror, July 11, 2011, http://www.mirror.co.uk/2011/07/11/phone-hacking-9-11-victims-may-have-had-mobiles-tapped-by-news-of-the-world-reporters-115875-23262694/#ixzz1RIESRHux

[4] Id.

[5] *Supra.*

Of The World had to be closed.[6] Advertisers have determined that News Corp is "toxic," and have pulled virtually all advertising from its UK operations.

The Foreign Corrupt Practices Act

The Foreign Corrupt Practices Act ("FCPA") (15 U.S.C. §§ 78dd-1, et seq.) prohibits the bribery of foreign officials. The anti-bribery provisions of the FCPA prohibit:

> Issuers, domestic concerns, and any person from making use of interstate commerce corruptly, in furtherance of an offer or payment of anything of value to a foreign official, foreign political party, or candidate for political office, for the purpose of influencing any act of that foreign official in violation of the duty of that official, or to secure any improper advantage in order to obtain or retain business.

"Issuers" include any U.S. or foreign corporation that has a class of securities registered, or that is required to file reports under the Securities and Exchange Act of 1934. "Domestic concerns" refers to any individual who is a citizen, national, or resident of the United States and any corporation and other business entity organized under the laws of the United States or having its principal place of business in the United States. And "any person" covers both enterprises and individuals.

The anti-bribery provisions of the FCPA make it unlawful for a U.S. person, and certain foreign issuers of securities, to make a payment to a foreign official for the purpose of obtaining or retaining business for or with, or directing business to, any person. Since 1998, they also apply to foreign firms and persons who take any act in furtherance of such a corrupt payment while in the United States. The meaning of foreign official is broad. There is no materiality to this Act, making it illegal to offer anything of value as a bribe, including cash or non-cash items. The government focuses on the intent of the bribery rather than on the amount.

FCPA provides for serious criminal and civil penalties for corporations and individuals. Under 15 U.S.C. § 78ff(a), corporations can be fined up to $2 million for each criminal violation of the FCPA, and up to $25 million for "willful" violations. 15 U.S.C. § 78ff(a). Under the Alternative Fines Act, 18 U.S.C. § 3571(D), the government may impose a fine equal to twice the benefit the defendant sought from making the corrupt payment. Civil penalties to corporations can include up to $10,000 for each violation. Under an SEC enforcement action a court can fine a corporation the the greater of (i) the gross amount of the pecuniary gain to the defendant as a result of the violation, or (ii) a specified dollar limitation, based on the egregiousness of the violation, ranging from $50,000 to $500,000. And, the federal government may also suspend or revoke the company's privileges of conducting business with government agencies.

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[6] "News of the World phone-hacking scandal -As it happened," The Guardian (ongoing updated report). http://www.guardian.co.uk/media/blog/2011/jul/08/news-of-the-world-phone-hacking-scandal#block-71.

determine whether they are found on the [redacted] list. No record of meeting in ES but see related corres in ES. (DA) b6 b7C
''Friday, September 30, 2011 at 9:10:13 AM (GMT-04:00) [redacted]''

Related Records : 11/DO/3422: Response to Workflow 2388057 to Senator Frank R. Lautenberg regarding allegations of computer hacking against News America Marketing and the alleged hacking of FLOORgraphics, Inc. (Related to)
11/DO/3353: Response to Workflow 2386124 to Congressman Bennie G. Thompson regarding the alleged illegal activities of News Corporation. (Related to)
11/DO/3339: Response to Workflow 2389295 to Congressman Rush Holt regarding allegations of illegal business practices by News Corporation and the alleged hacking of FLOORgraphics, Inc.'s computer system. (Related to)
11/DO/3264: Response to Workflow 2385776 to Senator Robert Menendez regarding alleged illegal activities of News International. (Related to)
11/DO/3141: Response to Kevin Zeese regarding recent allegations brought against News Corporation. (Related to)
11/DO/3045: Response letter to [redacted] regarding their request to meet with the FBI regarding the preliminary inquiry into the allegations of phone hacking by News Corporation. (Related to) b6 b7C
11/DO/2693: Letter from [redacted] to the Director regarding their representation of 9/11 family members and the desire to meet with the FBI regarding the preliminary inquiry into the allegations of phone hacking by News Corporation. (Related to)

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Kevin Zeese

From Wikipedia, the free encyclopedia

Kevin Zeese is an American political activist who has been a leader in the drug policy reform and peace movements and in efforts to ensure a voter verified paper audit trail. He was on the ballot as the nominee of the Maryland Green Party for a U.S. Senate seat during the 2006 election, receiving 1.5% of the total vote.[1]

Kevin Zeese marching in the Dundalk, Maryland Independence Day parade.

Contents

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- 2 Career
  - 2.1 2006 U.S. Senate election
- 3 References
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Early life

Zeese was born in New York City in 1955. He grew up in Queens, New York where he attended public schools. He received a bachelor's degree from the State University of New York at Buffalo. He graduated from the George Washington University Law School in 1980.[2]

Career

Zeese began his advocacy career as Chief Counsel for National Organization for the Reform of Marijuana Laws (NORML) in 1980 and served as NORML's Executive Director from 1983 to 1986. During his time at NORML he helped stop the spraying of herbicides on marijuana in Mexico and the United States, and he became a leading advocate of the medical use of marijuana.[2]

He has since been involved in helping found such drug policy reform efforts as the Harm Reduction Coalition and the Drug Policy Foundation (later merged with other organizations into the Drug Policy Alliance), and he worked with Baltimore Mayor Kurt L. Schmoke's "Mayor's Working Group on Drug Policy Reform", and the "Journey for Justice," a protest march on Washington. He worked to bring public attention to the death of Esequiel Hernandez Jr, a high school student killed by Marines on the U.S.-Mexico border in Redford, Texas. Zeese is currently president of Common Sense for Drug Policy an organization dedicated to reforming drug policy and expanding harm reduction.[2]

Zeese was director of the Ralph Nader-connected group Democracy Rising, an organization which worked to prevent and then end the 2003 Iraq War. He currently directs the Campaign for Fresh Air and Clean Politics which includes as projects two efforts he founded TrueVoteMD and VoteTrustUSA, both of which work for a voter verified paper audit trail with electronic voting.[2]

In October 2008 TrueVote.US encouraged an email letter writing campaign in response to a report the previous week finding Virginia was one of the least prepared states for Election Day problems such as

long lines, broken machines and software malfunctions. However, the hundreds of emails crashed the system, making it more difficult to get out electronic absentee ballots. Zeese stated the purpose of the campaign was for "elections officials to know people are watching and for people to know they want adequate voting machines." In response to election officials request they call off the email campaign, Zeese did so saying "We made our point."[3]

As reported by the Washington Post, Zeese has entered into the debate over the allegations of impropriety by Justice Department lawyers in opinions being used to justify the Bush Administration's "advanced interrogation techniques". Zeese has filed a formal request with the D.C. Office of Bar Counsel for the disbarment of the lawyers who wrote the memos used as justification for interrogation methods that many consider to be torture.[4]

Zeese worked on the Maryland House of Delegates 2002 campaign of Green Party candidate Linda Schade and on the 2003 gubernatorial campaign of Green Party candidate Peter Camejo in California. He was the spokesman (press secretary) for Ralph Nader's 2004 presidential campaign.[2][5]

Zeese writes for *CounterPunch*. He has been published in *USA Today*, *The Wall Street Journal* and *The Washington Post* as well as on web outlets like Common Dreams, AlterNet, Dissident Voice, The Raw Story, LewRockwell.com, and Z Magazine. He is the author of several books.[2]

2006 U.S. Senate election

Main article: Maryland United States Senate election, 2006

After months of campaigning, Zeese received the senate nomination of the Maryland Green Party was also nominated by the Libertarian Party of Maryland in April 2006 and the Populist Party of Maryland in June, the first time all three parties had nominated the same candidate. However, in early April 2006, the Maryland legislature passed SB 129, which held a candidate can be nominated by only a party with which he is registered. Therefore he ran on the Maryland Green Party ticket.[6][7]

Zeese called his campaign the "Unity Campaign" and ran on a reform platform that advocated the withdrawal of U.S. troops and corporate interests from Iraq, economic justice and end to corporate welfare (which he calls "big business socialism") and electronic voting reform.[8][9] He also was a vocal critic of the "hawkish" Israel lobby in the United States[10] and the Israel's 2006 bombing campaign against Lebanon.[11] He challenged incumbent U.S. congressman Ben Cardin, who has close ties to the Lobby, to break his silence on Israeli wrongdoing.[12]

Zeese received the endorsement of several leading third party figures including his former employer Ralph Nader [2].

Zeese was included in the publicly televised final Senatorial debate on Friday, November 3, 2006. In it urged the audience to reject the major parties, saying: "Change has not come from status quo parties, it's come from the outside."[13][14] Zeese finished third in the voting receiving 27,564 votes for 1.5% of the total vote.[1]

References

1. ^ *a* *b* Maryland State Board of Elections Board web site

2. ^ a b c d e f Kevin Zeese biography at KevinZeese.com; Kevin Zeese biography at Common Sense for Drug Policy
3. ^ Tim Craig, Massive E-Mail Campaign Freezes Absentee Ballots, Washington Post, October 22, 2008, B03.
4. ^ Dana Milbank,[1]Washington Post, May 19, 2009.
5. ^ Joshua Frank,Swing Along With Ralph Nader in the Battleground States, CounterPunch, September 16, 2004.
6. ^ David Nitkin on state politics issues; Editor addresses energy rates, upcoming elections, personnel probe, Baltimore Sun, May 16, 2006.
7. ^ John Wagner, Zeese Wins the Triple Crown, Washington Post, June 13, 2006.
8. ^ Kevin Zeese for U.S. Senate web site.
9. ^ John Wagner, Independent Announces Run for Senate in Md., Washington Post, September 13, 2005, B05.
10. ^ William Hughes, Kevin Zeese: "Hawkish Israeli Lobby Wants War with Iran!", MediaMonitors.Net, April 25, 2006.
11. ^ Ron Cassie, Counter-demonstrators speak out against Israeli attacks, Baltimore Examiner reprinted at KevinZeese.Com, July 26, 2006.
12. ^ William Hughes, Kevin Zeese Challenges Rep. Cardin on Israel, American Chronicle, August 04, 2006.
13. ^ Ann E. Marimow and John Wagner, Debate Targets Death Penalty, Washington Post, November 4, 2006, B01.
14. ^ Recording of November 3, 2006 Senatorial debate including Kevin Zeese.

External links

- Real Video from the Cato Institute featuring Kevin Zeese along with Alan Bock speaking on The Law and Politics of Medical Marijuana, March 27, 2001.
- Kevin Zeese, Mishandling Nader, Dissident Voice, November 2004.
- Kevin Zeese, [http://www.antiwar.com/orig/zeese.php?articleid=6054 A Pretext for War; An interview with James Bamford, Antiwar.com, May 24, 2005.
- Kevin Zeeze, They're Staying in Iraq, Antiwar.com, April 22, 2006.
- Zeese for U.S. Senate 2006 campaign website
- Kevin Zeese on MySpace
- Kevin Zeese, The Real Cost of the Bailout, CounterPunch, November 26, 2008.

Bibliography

- *Drug Testing Legal Manual and Practice AIDS,* Clark Boardman Callaghan (1996)
- *Drug Law Strategies and Tactics,* with Eve Zeese, Clark Boardman Callaghan (1993)
- *Drug Prohibition and the Conscience of Nations,* with Arnold Trebach, The Drug Policy Foundation (1990)

Retrieved from "http://en.wikipedia.org/wiki/Kevin_Zeese"
Categories: 1955 births | Living people | People from New York City | Maryland Greens | George Washington University alumni | People from Maryland | People from Queens | People from Long Island | Drug policy reform activists

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If you have any questions, comments, suggestions, or require the attached correspondence to be sent to another division/office for action or information, please contact the FBI Executive Secretariat, [redacted] or by e-mail to [redacted] b6 b7C b7E

RETURN ENTIRE PACKAGE TO ROOM 6147
DO NOT SEND TO MAILROOM

------< TRIM Record Information >------

Date Due : 10/14/2011
Addressee : AD-Criminal Investigative Division (Addressee)
Current Action : PREPARE RESPONSE PER INSTRUCTIONS (Responsibility of: Executive Secretariat, Due 10/14/2011 at 9:21 AM (9 days, 13 hours, 5 minutes))
All Contacts : AD-Criminal Investigative Division (Addressee)
AD-Cyber (Other)
Chief of Staff (Other)
Deputy Director (Other)
EAD-Criminal, Cyber, Response, and Services (Other) Office of Public Affairs (OPA) (Other)
AD-International Operations Division (Other) ADIC-New York (Other)
Office for Victim Assistance (Other) Business Phone: [redacted] b6
CURTIN, ROYCE E (DO)(FBI) (Other) b7C
Associate Deputy Director (Other) b7E
Kevin Perkins (Other)
Office of General Counsel (Other)
Access DB or Workflow : 2413130
From : [redacted]
Constituent :
Title (Free Text Part) : (Fax) Advising that her law firm represents the families and survivors of the 9/11 incident and following up on a meeting with the AG held on 8/24/2011. Also thanking the AG for the hospitality and words of support during that meeting.
Date of Communication : Tuesday, September 27, 2011
Notes : SUBJ: Stating that she supports DOJ's decision to investigate the illegal wiretapping and phone hacking by News Corp that has been covered in the media which is in the process of legal actions in the U.K. Requesting that DOJ review the attached names to determine whether they are found on the [redacted] list. No record of meeting in ES but see related corres in ES. (DA) b6 b7C
''Friday, September 30, 2011 at 9:10:13 AM (GMT-04:00) [redacted]''

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11/DO/3045: Response letter to [redacted] regarding their request to meet with the FBI regarding the preliminary inquiry into the allegations of phone hacking by News Corporation. (Related to) b6 b7C

Individuals also face potential criminal and civil penalties under FCPA. An individual faces a maximum term of imprisonment of five years for each FCPA violation, and 20 years for "willful" violations of the FCPA, 15 U.S.C. §§ 78ff(a). An individual can be subject to a criminal fine of up to $100,000 for each violation of the FCPA, and up to $5 million for "willful" violations. 15 U.S.C. §§ 78ff(a), 78-ff(c)(2). Under the Alternative Fines Act, the government may impose a fine equal to twice the benefit the defendant sought by from making the corrupt payment. 18 U.S.C. § 3571(D).

The government may bring a civil action against individuals seeking a fine of up to $10,000 for each violation of the FCPA. In an SEC enforcement action, the court may impose an additional fine not to exceed the greater of (i) the gross amount of the pecuniary gain to the defendant as a result of the violation, or (ii) a specified dollar limitation, based on the egregiousness of the violation, ranging from $5,000 to $100,000. The SEC may also seek to prohibit an individual defendant from serving as an officer or director of a public company. These fines must be paid by the individual as a corporation cannot indemnify an officer, director, stockholder, employee, or agent for fines imposed for violations of the FCPA. 15 U.S.C. § 78dd-2(g)(3).

Conclusion

The facts set forth above are undisputed and have already resulted in arrests, convictions, and seizures in the UK. Many more arrests and convictions will be forthcoming in the near future.

These facts show that News Corp executives paid massive bribes to officials in UK, including police, over a period of years, in order to obtain information that was used to illegally hack phones and other records. News Corp in turn used that illegally obtained evidence to discover information that would form the basis for News Corp stories in order to increase its revenue. At least 4,000 people were illegal hacked on the basis of this information. This constitutes a prima facie violation of the Foreign Corrupt Practices Act.

News Corp should be fined for each violation, and all those who participated in the corrupt practices should be prosecuted to the full extent of the law. Although Scotland Yard has amassed a great deal of evidence in the UK, much from recent seizures, News Corp headquarters is located in New York City, and that location should be immediately searched, and any evidence discovered pertaining to this "industrial scale" criminal operation should be seized.

Sincerely,

Kevin Zeese
Attorney at Law
301-996-6582